

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 16, 2005

DIVISION TWO

B174297 People v. Blakney (Not for Publication)

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B184239 Children and Family Services v. Bonita J., et al.
 B174489 People v. Smith
 B174024 Yepremian, et al. v. Kazazian, et al.
 B174227 People v. Smith
 B178886 People v. Hicks
 B178610 Children and Family Services v. Demetrio H., et al.
 B184192 Leticia J. v. S.C.L.A.
 B179593 Children and Family Services v. Andrew H.

Argument waived, cause submitted.

DIVISION THREE (Continued)

B170237 Pacelli
 v.
 Jaffe

Merits:
Argued by Arthur Martin for respondent. Argument waived by the
appellant. Cause submitted.

B172670 Aguiluz
 v.
 Jaffe

Merits:
Argued by Arthur Martin for respondent. Argument waived by the
appellant. Cause submitted.

B178879 Stone
 v.
 Nationwide Mutual Insurance Company

Merits:
Argued by Lawrence Segal for appellant and by John Horwitz for
respondent. Cause submitted.

B175716 People
 v.
 Maldonado

Merits:
Argued by Alison Triessl and Sharon Morris for appellant and by A. Scott
Hayward, deputy attorney general for respondent. Cause submitted.

Court recessed.

August 16, 2005 (Continued)

DIVISION THREE (Continued)

Court reconvened at 1:30 p.m.

Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B181583 Children and Family Services v. Kathleen H.

B177363 People v. Sorto

B183666 Yolanda S. v. S.C.L.A.

B172789 People v. Blackman

Argument waived, cause submitted.

B178954 Smith
 v.
 Stewart

Merits:

Argued by Kelly Smith, appellant in propria persona and by Alan Varner for respondents. Cause submitted.

B175450 Syngenta Crop Protection, Inc., et al.
 v.
 Helliker, et al.

Merits:

Argued by Stanley Landfair for appellants and by Todd Valdes, deputy attorney general and Daniel P. Callahan for respondents. Supplemental briefing ordered. Respondents supplemental brief due by September 6, 2005, appellants response due by September 19, 2005. Submission deferred.

Court adjourned at 3:37 p.m.

DIVISION THREE (Continued)

B177852 The Roman Catholic Archbishop of Los Angeles
B180696 v.
Superior Court, Los Angeles County
(The People, r.p.i.)
Does 1 and 2
v.
Superior Court, Los Angeles County
The People

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FOUR

B176261 Murray (Not for Publication)
v.
Murray

The judgment is reversed and the matter is remanded to the trial court for the issuance of a statement of decision, with opportunity thereafter for comment and objections, in accordance with the views expressed in this opinion. (Code Civ. Proc., § 632; Cal. Rules of Court, rule 232.) Costs on appeal are awarded to Diana Murray.

Curry, J.

We concur: Hastings, Acting P.J.
 Willhite, J.

B180256 People (Not for Publication)
v.
Moss

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Curry, J.

DIVISION FOUR (Continued)

B177842 People (Not for Publication)
v.
Perez

The true finding that appellant suffered a prior serious felony conviction within the meaning of Penal Code section 667, subdivision (a) and the five-year prison term imposed pursuant to that enhancement are reversed and the matter is remanded to the trial court for further proceedings and in all other respects the judgment is affirmed.

Curry, J.

We concur: Hastings, Acting P.J.
Willhite, J.

B175487 People v. Estrada (Not for Publication)

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Curry, J.

B182934 People (Not for Publication)
v.
Daniels

The judgment is affirmed.

Hastings, J.

We concur: Epstein, P.J.
Curry, J.

DIVISION FOUR (Continued)

B180111 People (Not for Publication)
v.
Itaev

The judgment is affirmed in all respects except that the orders directing appellant to pay (1) a theft fine in the amount of \$10 pursuant to section 1202.5 with respect to count 1, and (2) a restitution fine in the amount of \$200 pursuant to section 1202.4, subdivision (b), a parole revocation fine in the amount of \$200 pursuant to section 1202.45, and a theft fine in the amount of \$10 pursuant to section 1202.5, all with respect to count 4, are reversed. The matter is remanded so that these fines can be stricken and the abstract of judgment corrected.

Curry, J.

We concur: Epstein, P.J.
Willhite, J.

B180734 Los Angeles County, D.C.S. (Not for Publication)
v.
Jaime C.

The juvenile court's order is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Curry, J.

August 16, 2005 (Continued)

DIVISION FIVE

B183102 Lakeisha B. (Not for Publication)

V.

Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The petition is denied. This opinion shall be final forthwith pursuant to CRC Rules of Court, rule 24(b) (3).

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

DIVISION SIX

B178524 People (Certified for Publication)

V.

Burroughs

The judgment is reversed and the case is remanded with directions that the superior court enters a judgment continuing Burroughs as an MDO under section 2970.

Coffee, J.

I concur: Perren, J.

I dissent: Yegan, Acting P.J. (Opinion)

B175651 Flint

V.

Tuesday Morning, Inc.

Filed order denying petition for rehearing.

August 16, 2005 (Continued)

DIVISION EIGHT

B177380 People (Not for Publication)
v.
Simms

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

B180858 People (Not for Publication)
v.
Smith

The judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.

B175738 Sequeira et al. (Not for Publication)
v.
Clippinger Chevrolet

The judgment is affirmed. The parties are to bear their own costs on appeal.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.

August 16, 2005 (Continued)

DIVISION EIGHT (Continued)

B179163 People (Certified for Publication)
v.
Niroomandi

The judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.

B175291 People v. Lee (Certified for Publication)

The judgment is reversed.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.

B174209 People
v.
Luis Toledo et al.

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)